EXHIBIT 8

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/630,590	04/10/96	YURT	P 2473.0001-02

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FINNEGAN HENDERSON FARABOW
GARRETT AND DUNNER
1300 I STREET NW
WASHINGTON DC 20005-3315

EXAMINER	
LE, A	
ART UNIT	PAPER NUMBER
2734	8

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

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PTO-90C (Rev. 2/95)
*U.S. GPO: 1996-404-496/40510

1- File Copy

Office Action Summary	Application No. 08/630,590	Applicant(s) Paul Yurt et al
	Examiner Amanda Le	Group Art Unit 2734

☒ Responsive to communication(s) filed on 11/21/97.

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 33-42 is/are pending in the application.

Of the above, claim(s) ______ is/are withdrawn from consideration.

☐ Claim(s) ______ is/are allowed.

☒ Claim(s) 33-42 is/are rejected.

☐ Claim(s) ______ is/are objected to.

☐ Claims ______ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on ______ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on ______ is ☐approved ☐disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) ______.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: ______.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). ______

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

1. This Office Action is responsive to the request for reconsideration filed on 11/21/97. Claims 33-42 are pending in this application.

Claim Rejections - 35 U.S.C. § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

3. Claims 33 and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by Wilson et al.

Wilson et al discloses an interactive multimedia presentation and communication system comprising the following subject matters of the claimed "transmission system for providing information to be transmitted to remote locations": "a plurality of electronically connected library means" (Fig. 1, LOC 24, Fig. 2, Fig. 10) "being geographically separated" (claim 34) (col. 10, lines 35-42), "identification encoding means" (Fig. 10, element 162, col. 38, lines 37-46), "conversion means" (col. 39, lines 1-18), "transmitter means" (Fig. 10, element 168, 169).

4. Claims 35-42 are rejected under 35 U.S.C. 102(e) as being anticipated by Tindell et al.

Regarding claims 35, 36, Tindell et al discloses a store and forward video system comprising the following subject matters of the claimed "digital audio/video communication network": "a local reception system" (Fig. 5), "means for receiving compressed, digitized data" (Fig. 5, elements 64. 66, 68, 70, 74), "means for storing a complete copy" (Fig. 5, element 78, col. 5, lines 29-32), "means, responsive to the stored compressed, digitized data, for transmitting" (Fig. 5, elements 82, 84, 86, 88), "converter for decompressing" (claim 36) (Fig. 5, element 82).

Regarding claim 37, Tindell et al also discloses the claimed "a processing station for formatting items of audio/video information" (Fig. 1, element 10, Fig. 2 and Fig. 3).

Regarding claim 38, Tindell et al further discloses the following subject matters comprised in the claimed "processing station": "means for inputting" (Fig. 3, element 24), "conversion means" (Fig. 3, elements 32, 34 , 36, 40, 42), "compression means" (Fig. 3, element 44), "transmitter means" (Fig. 2, element 30).

Regarding claims 39-41, Tindell et al discloses the following subject matters of the claimed "method of distributing audio/video information": "transmitting compressed, digitized data . . . " (Fig. 6), "receiving the transmitted compressed, digitized data" (Fig. 7, 118), "storing the received compressed, digitized data" (Fig. 7, 122), "in response to the stored compressed, digitized data, transmitting a representation of the at least one item" (Fig. 7, 124, 126), "the step of decompressing" (claims 40, 41) (Fig. 7, 124).

Regarding claim 42, Tindell et al discloses the following subject matters of the claimed "method of distributing audio/video information": "formatting items of audio/video information" (Fig. 6, 90, 92), "transmitting compressed, digitized data representing a complete copy" (Fig. 6, 108), "receiving the transmitted compressed, digitized data" (Fig. 7, 118), "storing the received compressed, digitized data" (Fig. 7, 122), "using the stored compressed, digitized data to transmit a representation of the at least one item" (Fig. 7, 126).

Response to Arguments

5. Applicant's arguments filed 11/21/97 have been fully considered but they are not persuasive.

Regarding claims 33 and 34, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., *"a flexible system in which a user can remotely access information. That is, the user can request transmission of information to a site remote from the requesting site. Additionally, with the present invention the user does not have to be connected by telephone when information is transmitted from the library to the selected remote location*") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. *In re Van Guens*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Regarding claims 35-42, Applicant asserts that "*according to the present invention, the compressed data is stored at a local reception system (claim 35) or a local distribution system (claims 39 and 42). The compressed data is stored at the local facility and is sent at a real time rate to a subscriber receiving station. Use of a local reception or distribution system is neither taught nor suggested by* Tindell et al *and such a system considerably simplifies and reduces the cost of the components required at the user end.*" The Examiner would like to emphasize that the Office Action interprets Tindell et al's "receiving unit (16)" as the claimed "local reception system" (claim 35) or "a local distribution system" (claims 39 and 42), and Tindell et al's "video display devices (18)" as the claimed "subscriber receiving stations." Accordingly, Tindell et al does disclose all the subject matters claimed, as explained in the previous Office Action.

For the above reasons, the rejections applied to claims 33-42, as recited in the previous Office Action, are maintained.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for response to this final action is set to expire THREE MONTHS from the date of this action. In the event a first response is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amanda Le whose telephone number is (703) 305-4769. The examiner can normally be reached on Tuesday-Friday from 7:30 A.M. to 5:00 P.M.. The examiner can also be reached on alternate Mondays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin, can be reached on (703) 305-4714.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this final action should be mailed to:

Box AF
Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 305-9051, (for formal communications; please mark "EXPEDITED PROCEDURE")

Or:

(703) 308-5403 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

A. Le

02/10/98

DON N. VO
PRIMARY EXAMINER